

AGENDA
CITY OF ATLANTA BOARD OF ZONING ADJUSTMENT
Friday, April 1, 2005 AT 1:00 P.M.
ATLANTA CITY HALL COUNCIL CHAMBER, SECOND FLOOR

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ELECTION OF CHAIR AND VICE-CHAIR

In accordance with Part III, Part 6, Chapter 4, Article C, Section 6-4022(5) of the Municipal Code, the Board of Zoning Adjustment shall select a Chair to fill the vacancy that was created on March 7, 2005.

NEW CASES

- V-05-32** Application of **James A. Garvey** for a variance from the zoning regulations to reduce the east side yard setback from the required 7 feet to 2 feet, for a garage addition to a single-family, detached house. Property is located at **957 VIRGINIA AVENUE, N.E.**, fronts 50 feet on the south side of Virginia Avenue, and begins 295 feet west of the southwest corner of Virginia Avenue and Todd Road. Zoned R-4 (Single-Family Residential) District. Land Lot 1 of the 17th District, Fulton County, Georgia.
Owner: James A. Garvey
Council District 6, NPU-F
- V-05-33** Application of **Anne Rohr** for a variance from the zoning regulations to reduce the rear yard setback from the required 15 feet to 6 feet, for construction of an addition to a single-family, detached house. Property is located at **1129 St. Augustine Place, N.E.**, fronts 96 feet on the south side of St. Augustine Place, and begins 385 feet west of the southwest corner of St. Augustine Place and Moreland Avenue. Zoned R-4 (Single-Family Residential) District. Land Lot 16 of the 14th District, Fulton County, Georgia.
Owner: Anne Rohr
Council District 6, NPU-F
- V-05-34** Application of **Timothy S. Adams** for variances from the zoning regulations to 1) reduce the north side yard setback from the required 20 feet to 8 feet, 2) reduce the south side yard setback from the required 20 feet to 9 feet, and 3) allow parking in the north side yard setback, and 4) allow parking in the south side yard setback, for construction of a second story addition to a building used for an office. Property is located at **2969 Hardman Court, N.E.**, fronts 60 feet on the east side of Hardman Court, and begins 255 feet south of the southeast corner of Hardman Court and Pharr Road. Zoned R-LC-C (Residential-Limited Commercial-Conditional) District. Land Lot 60 of the 17th District, Fulton County, Georgia.
Owner: Timothy S. Adams
Council District 7, NPU-B

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- V-05-35** Application of **Bernard Velha** for a variance from the zoning regulations to reduce the front yard setback from the required 35 feet to 22 feet for construction of a second story addition to a single-family, detached house. Property is located at **1470 Kay Lane, N.E.**, fronts 65 feet on the west side of Kay Lane, and begins 145 feet south of the southwest corner of Kay Lane and Helen Drive. Zoned R-4 (Single-Family Residential) District. Land Lot 56 of the 18th District, DeKalb County, Georgia.
Owner: Bernardo Velha
Council District 6, NPU-F
- V-05-36** Application of **Dixon N. Nash** for a special exception from the zoning regulations for 1) a 7 ½ foot high fence gate in the north side yard setback, 2) a 7 ½ foot high fence gate in the south side yard setback, and 3) a 7 ½ foot high fence gates in the rear side yard setback, where up to a six foot high fence gates would otherwise be allowed. Property is located at **1371 N. MORNINGSIDE DRIVE, N.E.**, fronts 55 feet on the east side of N. Morningside Drive, and begins 340 feet north of the northeast corner of N. Morningside Drive and N. Highland Avenue. Zoned R-4 (Single-Family Residential) District. Land Lot 2 of the 17th District, Fulton County, Georgia.
Owner: Robert Hardaway Ferris
Council District 6, NPU-F
- V-05-37** Application of **James E. and Judith C. Riddle** for a special exception from the zoning regulations for a 7-foot high fence entry gate, 6-foot high gate columns, a stone wall segment, and a fence with columns up to 5 feet high in the front yard setback, whereas up to a 4-foot high fence would otherwise be allowed. Property is located at **3589 KNOLLWOOD DRIVE, N.W.**, fronts 150 feet on the east side of Knollwood Drive, and begins 972 feet south of the southeast corner of Knollwood Drive and Tuxedo Road. Zoned R-2 (Single-Family Residential) District. Land Lot 115 of the 17th District, Fulton County, Georgia.
Owner: James E. and Judith C. Riddle
Council District 8, NPU-A
- V-05-38** Application of **Michael E. and Tina L. Johns** for a variance from the zoning regulations to reduce the rear yard setback from the required 30 feet to 16 feet, for construction of a room addition to a single-family, detached house. Property is located at **736 CONWAY GLEN DRIVE, N.W.**, fronts 176.8 feet on the west side of the cul-de-sac bulb, and begins 431.7 feet east of the northeast corner of Conway Glen Drive and W. Conway Drive. Zoned R-2 (Single-Family Residential) District. Land Lot 160 of the 17th District, Fulton County, Georgia.
Owners: Michael E. and Tina L. Johns
Council District 8, NPU-A

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- V-05-39** Application of **Daniel D. Yellott** for a variance from the zoning regulations to reduce the front yard setback from the required 30 feet to 10 feet, for construction of a new, single-family, detached house. Property is located at **632 AUBURN AVENUE, N.E.**, fronts 126 feet on the northwest side of Auburn Avenue, and begins at the northwest corner of Auburn Avenue and Gaspero Street. Zoned R-5 (Two-Family Residential) District. Land Lot 19 of the 17th District, Fulton County, Georgia.
Owner: David Patton
Council District 2, NPU-M
- V-05-40** Application of **Deborah Stephens** for variances from the zoning regulations to 1) reduce the east side yard setback from the required 7 feet to 2.5 feet and 2) reduce the rear yard setback from the required 15 feet to 8 feet, for a detached carport; 3) reduce the half-depth front yard setback from the required 17.5 feet to 2.5 feet to allow for relocation of a storage shed; 4) increase the lot coverage above the allowed maximum of 50%, and 5) allow paving in the required half-depth and rear yards, and 6) construct a 5-foot high fence in the half-depth and side yards where up to a 4-foot high fence is allowed. Property is located at **1618 MAY AVENUE, S.E.**, fronts 65 feet on the north side of May Avenue, and begins at the northeast corner of May Avenue and Maynard Terrace. Zoned R-4 (Single-Family Residential) District. Land Lot 175 of the 15th District, DeKalb County, Georgia.
Owner: Ivey Stephens
Council District 5, NPU-W
- V-05-41** Application of **Jack Wexler** for a variance from the zoning regulations to erect a business identification sign on a building wall at a height of 74 feet, whereas a height of up to 30 feet would otherwise be allowed. Property is located at **250 PARK AVENUE WEST (a.k.a. 264 LUCKIE STREET)**, fronts 195 feet on the west side of Luckie Street, beginning at the southwest corner of Luckie Street and Thurmond Street. Zoned SPI-13 (Centennial Olympic Park Special Public Interest District.) Land Lot 78 of the 14th District, Fulton County, Georgia.
Owner: Jack Wexler
Council District 2, NPU-M
- V-05-47a** Application of **55 Allen Plaza Associates, LLC** for a special exception from the zoning regulations to temporarily remove and re-erect a nonconforming business identification sign at 390 Spring Street, to allow for construction of a new office building at the same address. Property is located at **390, 394-6, and 376 SPRING STREET**, fronts 187.5 feet on the west side of Spring Street, 341.9 feet on the north side of Alexander Street, 182.9 feet on the east side of Williams Street, and 341.9 feet on the 8-75/85 right of way, and begins at the northwest corner of Spring Street and Alexander Street. Zoned SPI-1 (Central Core Special Public Interest District). Land Lot 79 of the 14th District, Fulton County, Georgia.
Owner: Selig Enterprises
Council District 2, NPU-M

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DEFERRED CASES

- V-04-262** Application of **Vince Coleman** for a special exception from the zoning regulations to reduce the on-site parking from the required 41 spaces to 0 spaces, and allow for off-site parking within 500 feet, for conversion of a commercial building into an eating and drinking establishment (i.e., nightclub). Property is located at **3059 PEACHTREE ROAD, N.E.**, and fronts 30 feet on the east side of Peachtree Road, beginning 225.46 feet north of the northeast corner of Peachtree Road and Buckhead Avenue. Zoned C-3 (Commercial Residential) District. Land Lot 99 of the 17th District, Fulton County, Georgia.
Owner: Michael Kamalian
Council District 7, NPU-B
- V-04-391** Application of **Gina Brooks** for a variance from the zoning regulations to reduce the north side yard setback from the required 7 feet to 0 feet, for a porte cochere addition to a single-family, detached house. Property is located at **36 NORTHWOOD AVENUE, N.E.**, and fronts 60 feet on the west side of Northwood Avenue, beginning 395 feet from the northwest corner of Northwood Avenue and Huntington Road. Zoned HC-20-CD-1/R-4 (Historic District 20-Conservation District 1/Single-Family Residential). Land Lot 109 of the 17th District, Fulton County, Georgia.
Owner: Scott Nelson
Council District 7, NPU-E
- V-04-394** Application of **Byron Washington** for variances from the zoning regulations to 1) reduce the front yard setback from the required 40 feet to 35 feet, 2) reduce the north side yard setback from the required 20 feet to 7 feet, 3) reduce the south side yard setback from the required 20 feet to 7 feet, and 4) reduce the rear yard setback from the required 20 feet to 10 feet, for construction of new, multifamily townhouses. Property is located at **629 BOULEVARD, N.E.**, and fronts 50 feet on the east side of Boulevard, beginning 158.9 feet north of the northeast corner of Boulevard and North Avenue. Zoned RG-4 (Residential General-Sector 4) District. Land Lot 48 of the 14th District, Fulton County, Georgia.
Owner: Byron Washington
Council District 2, NPU-M
- V-04-399** Application of **Christopher R. Smurda** for variances from the zoning regulations to 1) reduce the east side yard setback from the required 10 feet to 1 foot, and 2) reduce the rear yard setback from the required 20 feet to 1 foot, for the construction of a detached garage and a porte-cochere addition to a single-family, detached house. Property is located at **1116 BERKSHIRE ROAD, N.E.**, and fronts 78 feet on the north side of Berkshire Road, beginning 200.9 feet from the northwest corner of Berkshire Road and Lenox Road. Zoned R-3 (Single-Family Residential) District. Land Lot 3 of the 17th District, Fulton County, Georgia.
Owners: Christopher Smurda and Patrick Clark

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Council District 6, NPU-F

- V-04-401** Application of **Marletta Henry** for variances from the zoning regulations to 1) reduce the half-depth front yard setback from the required 17 ½ feet to 8 feet, and 2) reduce the west side yard setback from the required 7 feet to 6 feet, for construction of a new, single-family, detached house. Property is located at **411 DEERING ROAD, N.W.**, and fronts 52.5 feet on the north side of Deering Road, beginning at the northwest corner of Deering Road and Steele Drive. Zoned R-4 (Single-Family Residential) District. Land Lot 147 of the 17th District, Fulton County, Georgia.
Owner: Marlon Rowe
Council District 8, NPU-E

- V-04-403** Application of **Donald Reisman** for 1) a variance from the zoning regulations to reduce the east half-depth front yard setback from the required 20 feet to 0 feet, and 2) a special exception from the zoning regulations to reduce on-site parking from the required spaces to 0 spaces, and allow for off-site parking at 801 Bedford Street, to allow for an addition to an existing industrial building. Property is located at **761, 787, AND 763-7 BEDFORD STREET, 768 AND 752-58-62-64 JAMES P. BRAWLEY, AND 772, 778-80-82, 786, AND 790-92-96 JEFFERSON STREET**, and fronts 263 feet on the south side of Jefferson Street, beginning at the northwest corner of Jefferson Street and James P. Brawley Street and comprising an entire block bounded on the north by Jefferson Street, on the east by James P. Brawley, on the south by Bedford, and on the west by English Avenue. Zoned I-2 (Heavy Industrial) District. Land Lot 112 of the 14th District, Fulton County, Georgia.
Owner: Reisman Properties
Council District 3, NPU-L

- V-04-407** Application of **Leon E. Jackson, Jr.** for a variance from the zoning regulations to reduce the side yard setback from the required 7 feet to 3 feet, 5 inches, to allow for a porch enclosure addition to a single-family, detached house. Property is located at **566 E. WESLEY ROAD, N.E.**, fronts 110 feet on the west side of E. Wesley Road, and begins at the southwest corner of E. Wesley Road and Alpine Road. Zoned R-4 (Single-Family Residential) District. Land Lot 60 of the 17th District, Fulton County, Georgia.
Owner: Leon Jackson, Jr.
Council District 7, NPU-B

- V-04-416** Application of **Randy E. Pimsler** for a variance from the zoning regulations to reduce the front yard setback from the required 40 feet to 5 feet, for construction of goal posts, back stop netting, and light poles for soccer fields. Property is located at **161 ARIZONA AVENUE, N.E.**, fronts 1326.22 feet on the east side of Arizona Avenue, and begins 945 feet south of the southeast corner of Arizona Avenue and DeKalb Avenue. Zoned I-1 (Light Industrial) District. Land Lots 210 and 211 of the 15th District, DeKalb County, Georgia.
Owner: Atlanta Youth Soccer Association
Council District 5, NPU-O

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- V-04-420** Application of **Aaron Spivey** for variances from the zoning regulations to 1) reduce the front yard setback from the required 30 feet to 8.5 feet and 2) reduce the north side yard setback from the required 7 feet to 2 feet for a second story addition, a front entryway addition, and a two-story addition at the rear of a single-family, detached house. Property is located at **398 ELM STREET, N.W.**, fronts 23 feet on the west side of Elm Street, and begins 418 feet north of the northwest corner of Elm Street and Jones Avenue. Zoned R-5 (Two-Family Residential) District. Land Lot 111 of the 14th District, Fulton County, Georgia.
Owner: Kent Williams
Council District 3, NPU-L
- V-04-421** Application of **Thomas Hills** for a variance from the zoning regulations to 1) reduce the north side yard setback from the required 7 feet to 3 feet, 2) reduce the south side yard setback from the required 7 feet to 3 feet, and **3) reduce the front yard setback from 30 feet to 19 feet**, for construction of a single-family, detached house. Property is located at **301 FORTUNE STREET, N.E.**, fronts 22 feet on the east side of Fortune Street, and begins 203 feet south of the southeast corner of Fortune Street and East Avenue. Zoned R-5 (Two-Family Residential) District. Land Lot 19 of the 14th District, Fulton County, Georgia.
Owner: TAFDA, Inc.
Council District 2, NPU-M